

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 11 Cases
)	
PERPETUA-BURR OAK HOLDINGS OF)	Case No. 09-34022
ILLINOIS, L.L.C., <i>et al.</i> ,)	(Jointly Administered)
)	
Debtors.)	Hon. Pamela S. Hollis
)	
)	

**NOTICE OF AGENDA FOR MATTERS SCHEDULED FOR
HEARING ON FEBRUARY 18, 2010 AT 11:00 A.M., C.S.T.**

Original Motions

1. **Debtors' Motion to Set Last Day to File Proof of Claim** [Filed 2/5/10] (Docket No. 386).

Responses Received:

- (A) Burr Oak Creditors' Limited Objection to Debtors' Motion for the Entry of an Order Setting Bar Dates for Filing Proofs of Claim and Approving the Form and Manner of Notice [Filed 2/16/10] (Docket No. 400).
- (B) Limited Objection of the Official Committee of Unsecured Creditors to Debtors' Motion for Entry of an Order Setting Bar Dates for Filing Proofs of Claim and Approving the Form and Manner of Notice [Filed 2/16/10] (Docket No. 402).

Status: The Debtors are currently working on a resolution with the Committee regarding its objection and this matter will go forward.

Continued Motions

2. **Motion for Relief from Stay Filed by Roshanda Washington** [Filed 9/18/09] (Docket No. 36).

Responses Received: None.

Status: This matter is set for status. The Debtor proposes that this matter be continued until April 1, 2010.

3. **Motion for Relief from Stay Filed by Catherine Rogers** [Filed 9/22/09] (Docket No. 47).

Responses Received: None.

Status: This matter is set for status. The Debtor proposes that this matter be continued until April 1, 2010.

4. **Motion Requesting the Court to Abstain from Retaining Jurisdiction and for Dismissal Filed by Roshanda Washington** [Filed 9/22/09] (Docket No. 50).

Responses Received: None.

Status: This matter is set for status. The Debtor proposes that this matter be continued until April 1, 2010.

Adversary Proceeding 09ap00855

5. **Complaint by Perpetua-Burr Oak Holdings of Illinois, LLC against Thelma Smith, Terri Blanchard, Bank of America, N.A.** [Filed 9/16/09].

Status: This matter is set for status. The Debtor proposes that this matter be continued until April 1, 2010.

Adversary Proceeding 09ap00943

6. **Complaint filed by Perpetua-Burr Oak Holdings of Illinois, L.L.C., et al. against Adadevoh, et al.**

Status: This matter is set for status. The Debtor and Committee propose that this matter be continued until April 1, 2010.

7. **Motion for Preliminary Injunction Filed by Mark L Radtke on behalf of Perpetua Holdings of Illinois, Inc., Perpetua, Inc., Perpetua-Burr Oak Holdings of Illinois, LLC** [Filed 10/6/09] (Docket No. 4).

Responses Received: None.

Status: This matter is set for status. The Debtor proposes the entry of a Fourth Preliminary Injunction Order extending the current injunction, which is set to expire on March 4, 2010 to and including April 9, 2010 and to set this matter for further status on April 1, 2010.

8. **Emergency Motion for Protective Order Filed by Brian L Shaw on behalf of Perpetua Holdings of Illinois, Inc., Perpetua, Inc., Perpetua-Burr Oak Holdings of Illinois, LLC** [Filed 11/11/09] (Docket No. 899).

Responses Received:

- (A) Amended Supplemental Memorandum in Support of Sanders Adversary Defendants' Motion to Compel Debtors to Answer Discovery Requests and in Opposition to

Debtors' Motion for a Protective Order filed by Defendants Bobbie Jean Sanders and Julie Jones [Filed 11/20/09] (Docket No. 954).

- (B) Response to Debtors' Emergency Motion to Limit Discovery and For A Protective Order filed by Defendants Judy Jackson, et al. [Filed 12/1/09] (Docket No. 237) [The docket reflects that this was filed in the incorrect case.]
- (C) Debtors' Reply in Support of Their Emergency Motion to Limit Discovery and for a Protective Order and Response in Opposition to the Sanders' Adversary Defendants' Emergency Motion to Compel [Filed 12/8/09] (Docket No. 998).

Status: This motion is set for status. The Debtor and Committee propose that this matter be continued until April 29, 2010.

9. **Motion for Leave to File Omnibus Answer Filed by the Official Committee of Unsecured Creditors** [Filed 12/23/09] (Docket No. 1032).

Responses Received: None.

Status: This matter is set for status. The Debtor and Committee propose that this matter be continued until April 1, 2010.

10. **Motion to Compel Adversary Plaintiffs to Answer Adversary Defendants' First Set of Interrogatories by filed by Defendants Bobbie Jean Sanders and Julie Jones** [Filed 11/11/09] (Docket No. 902).

Responses Received:

- (A) Amended Supplemental Memorandum in Support of Sanders Adversary Defendants' Motion to Compel Debtors to Answer Discovery Requests and in Opposition to Debtors' Motion for a Protective Order filed by Defendants Bobbie Jean Sanders and Julie Jones [Filed 11/20/09] (Docket No. 954).
- (B) Debtors' Reply in Support of Their Emergency Motion to Limit Discovery and for a Protective Order and Response in Opposition to the Sanders' Adversary Defendants' Emergency Motion to Compel [Filed 12/8/09] (Docket No. 998).

Status: This motion is set for status. The Debtor and Committee propose that this matter be continued until April 1, 2010.

Procedural Matters

The Debtor intends to request that the Court set omnibus dates for the Cases through May 27, 2010.

Respectfully submitted,

Perpetua, Inc.
Perpetua Holdings of Illinois, Inc.
Perpetua-Burr Oak Holdings of Illinois, L.L.C.

Dated: February 17, 2010

By: /s/ Kimberly Bacher
One of their attorneys

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Shaw Gussis Fishman Glantz
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CERTIFICATE OF SERVICE

Kimberly Bacher certifies that she caused to be served a true copy of the above and foregoing NOTICE OF AGENDA FOR MATTERS SCHEDULED FOR HEARING ON FEBRUARY 18, 2010 AT 11:00 A.M., C.T. upon the Service List below via ECF Electronic Mail Notice on this 17th day of February, 2010.

/s/ Kimberly Bacher

Via Electronic Mail

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ECF Electronic Mail Notice

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SHAW GUSSIS

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Shaw Gussis Fishman Glantz Wolfson & Towbin LLC

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February 17, 2010

VIA MESSENGER

The Honorable Pamela S. Hollis
Everett McKinley Dirksen Building
219 South Dearborn Street, Chambers 648
Chicago, Illinois 60604
Attn: Linda Austin, Courtroom Deputy

Re: *In re: Perpetua-Bur Oak Holdings of Illinois, L.L.C.*, Case No. 09-34022

Dear Judge Hollis:

Enclosed please find a Notice of Agenda for Matters Schedule for Hearing on February 18, 2010 at 11:00 A.M., C.T.

Please contact my office if you have any questions.

Very truly yours,


Kimberly Bacher

KAB: kab
Enclosures
cc: ECF Service List